

**REMARKS**

Claims 1-4 were rejected under 35 USC 102(b) as being anticipated by Izumi, U.S. Patent 5,610,985. This rejection is respectfully traversed.

Claim 1 recites “an optical recording medium which comprises marks or pits which are arranged at a pitch less than  $\lambda/2NA$ .” The Examiner asserts that Izumi teaches an optical recording medium which comprises marks or pits which are arranged at a pitch less than  $\lambda/2NA$ . Admittedly, the background of the invention in Izumi discloses high density recording on a recording medium, but never states that the marks or pits of the recording medium are arranged at a pitch less than  $\lambda/2NA$ . Thus, Izumi fails to teach or suggest this feature.

Claim 2 also recites the above-quoted feature from claim 1, and thus is allowable for the same reason claim 1 is allowable.

Claim 3 recites “the second detecting system comprises a shielding band for shielding at least a middle of a bundle of rays.” The Examiner asserts that Izumi teaches this feature and cites to col. 5, lines 38 to col. 7, lines 20. However, Izumi states that light blocking plate 5 is not used in the embodiment shown in Fig. 10 and described in the portion of Izumi cited by the Examiner. Izumi states that even though this light blocking plate is not used, the provision of the reflecting layer 25B enables light components which are substantially the same as those obtained by blocking the reflected light by light blocking plate 5 to be supplied to the magneto-optic reproduced signal detection system, while at the same time enabling the light components corresponding to the central portion of the reflected light to be supplied to the focal error and tracking error detection system (see col. 6, line 67 to col. 7, line 8). Thus, in the embodiment cited by the Examiner, the middle bundle of rays is not actually shielded. Therefore, the features of claim 3 are not taught or suggested by Izumi.

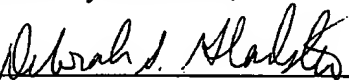
Claim 4 recites the same features discussed above in connection with claims 1 and 3, and is allowable for the foregoing reasons.

Accordingly, Applicants respectfully request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772026700.

Dated: June 15, 2004

Respectfully submitted,

By 

Deborah S. Gladstein

Registration No.: 43,636

MORRISON & FOERSTER LLP  
2000 Pennsylvania Avenue, N.W.  
Washington, DC 20006-1888

(202) 778-1646